

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. The examiner is requested to contact the undersigned at 858.314.1535 to discuss this response and/or suggestions on how to progress the prosecution of this case.

35 USC § 112

Claims 84-105 stand rejected under 35 U.S.C. § 112 as allegedly failing to comply with the written description and failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These rejections are respectfully traversed for at least the reasons stated in previous office actions which are hereby incorporated by reference. Notwithstanding, these claims have been canceled in an effort to expedite allowance of the current application.

35 U.S.C. § 103

Claims 84, 85, and 87 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts et al. (U.S. Patent No. 6,085,220) in view of Mears et al. (U.S. Patent 6,041,362). Claim 86 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts et al. (U.S. Patent No. 6,085,220) and Mears et al. (U.S. Patent 6,041,362) and further in view of Humpleman et al. (U.S. Patent No. 6,466,971). Claims 88 and 89 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts and Mears and further in view of Bertrand et al. (U.S. Patent No. 6,018,732). Claims 90-91 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts and Mears and further in view of Ballantyne et al. (U.S. Patent No. 6,687,873). Claims 92, 93, 96, and 103 stands rejected under

35 U.S.C. § 103(a) as allegedly being unpatentable over Courts and Mears and further in view of Berg et al. (U.S. Patent No. 5,999,911). Claim 94 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears and Berg and in further in view of Greenfeld (U.S. Patent No. 4,93,928). Claim 95 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears, and Berg and in further in view of Schabes et al. (U.S. Patent No. 5,475,588). Claims 97-99 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears, and Berg and in further in view of Bertrand. Claim 100 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears, Berg, and Bertrand and in further in view of Mical (U.S. Patent No. 4,772,882). Claims 101-102 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears, and Berg and in further in view of Xie et al. (An additive reliability model for the analysis of modular software failure data). Claim 104 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts in view of Mears and Applicants Admitted Prior Art appearing on pages 1-7 of the originally filed specification ("AAPA"). Claim 105 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears, and AAPA and in further in view of "An ASP You Can Grasp: The ABCs of Active Server Pages" by Cluts, and Meltzer et al. (U.S. Patent No. 6,226,675). Claim 106 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Courts, Mears, Cluts, Meltzer and Traversat at al. (U.S. Patent No. 7,577,834) and Ho et al. (U.S. Patent No. 5,836,771). These rejections are respectfully traversed, based on at least, the reasoning presented in previous responses. Notwithstanding, these claims have been canceled in an effort to expedite allowance of the current application.

Claim 107 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Honarvar et al. (U.S. Patent No. 6,546,545) in view of Humpleman, Berg, and Adams (U.S.

Patent No. 5,465,258). This rejection is respectfully traversed.

Claim 107 was amended to recite: “the workflow functional components being reusable within a project and defining a process or action to be carried out and comprising: expression sequences that assign values to local fields and provide means for modifying local field values, segmentation trees each having decisioning branches with leaf nodes, and workflow lists that identify a set of steps to be processed during runtime execution, the workflow lists comprising a plurality of list items pointing to a particular workflow functional component” (for support, see, inter alia, published specification pars. 143-155).

This new language was based on similar language which stands rejected in light of Berg. However, Berg is directed to a simpler arrangement with regard to a workflow. A workflow as defined in Berg is a description of a process in terms of steps or tasks that comprise the process (and their interdependencies). Simply providing a graphical representation of such a workflow fails to suggest the recited workflow functional components of claim 107 – nor is there any suggestion of anything comparable to workflow functional components being reusable. Col. 4 of Berg differentiates between workflows and flow diagrams – however the rejection of previous claim 92 recites passages of Berg relating to a flow builder as disclosing the recited expression sequences. With regard to workflow lists, Berg simply states that a file is opened which defines flow setting steps and states mandated by their dependencies. There is no suggestion that workflow lists include items that point to a particular workflow functional component. Lastly, with regard to segmentation trees, FIG. 4 of Berg and the related description do not describe a segmentation tree that can be used for decisioning – nor do they describe leaf nodes of any sort. Therefore, for at least the reasons, the skilled artisan would not have arrived at each and every element of claim 107 by combining the cited references, and such claim should be allowable.

Claim 108, which includes features similar to that of claim 107, but states that the workflow functional components consist essentially of the recited components should also be allowable and further recites an interrelation between the segmentation tree nodes and the workflow lists. This claim should also be allowable.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. Applicant asks that all claims be allowed.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 35006-629001US.

Respectfully submitted,

Date: November 10, 2010

/ck3/
Carl A. Kukkonen, III
Reg. No. 42,773

Address all written correspondence to
Customer No. 76615
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Phone: 858.314.1535
Fax: 858.314.1501